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COUNT 5
DATE 3/13/09
NR 11

Amendments to House Bill No. 11
1st Reading Copy

For the House Joint Appropriations Subcommittee on Long-Range
Planning

Prepared by Catherine Duncan
March 12, 2009 (9:27pm)

1. Title, page 1, line 15.

Following: "PROJECTS;"

Insert: "AMENDING SECTION 90-6-701, MCA;"

2. Page 1, line 20.

Following: "commerce"

Strike: "\$16,083,889"

Insert: "\$17.8 million"

3. Page 7, line 4.

Insert: "Section 10. Section 90-6-701, MCA, is amended to read:

"90-6-701. **Treasure state endowment program created -- definitions.** (1) (a) There is a treasure state endowment program that consists of:

(i) the treasure state endowment fund established in 17-5-703;

(ii) the infrastructure portion of the coal severance tax bond program provided for in 17-5-701(2).

(b) The treasure state endowment program may borrow from the board of investments to provide additional financial assistance for local government infrastructure projects under this part, provided that no part of the loan may be made from retirement funds.

(2) Interest from the treasure state endowment fund and from proceeds of the sale of bonds under 17-5-701(2) may be used to provide financial assistance for local government infrastructure projects under this part, provide funding to the department of commerce for the administrative costs of the treasure state endowment program, and to repay loans from the board of investments.

(3) As used in this part, the following definitions apply:

(a) "Infrastructure projects" means:

(i) drinking water systems;

(ii) wastewater treatment;

(iii) sanitary sewer or storm sewer systems;

(iv) solid waste disposal and separation systems, including site acquisition, preparation, or monitoring; or

(v) bridges.

(b) "Local government" means an incorporated city or town, a county, a consolidated local government, a tribal government, a county or multicounty water, sewer, or solid waste district, or

an authority as defined in 75-6-304.

(c) "Treasure state endowment fund" means the coal severance tax infrastructure endowment fund established in 17-5-703(1)(b).

(d) "Treasure state endowment program" means the local government infrastructure investment program established in subsection (1).

(e) "Tribal government" means a federally recognized Indian tribe within the state of Montana."

{ Internal References to 90-6-701: None. }

Renumber: subsequent sections

- END -

Amendment 1 and 3: Change statute so that TSEP interest earnings can be used to fund only the administrative costs of the department of commerce.

Amendment 2: Changes the TSEP appropriation of interest earnings to agree with the changes of HJR 2 and the fact that the program no longer will need to pay debt service for a loan, with the addition of funding in HB 645.

Amendments to House Bill No. 11
1st Reading Copy

Requested by Representative Jon Sesso

For the House Joint Appropriations Subcommittee on Long-Range
Planning

Prepared by Greg Petesch
March 12, 2009 (9:29pm)

1. Title, line 15.

Following: "PROJECTS;"

Insert: "TERMINATING PRIOR TREASURE STATE ENDOWMENT GRANTS;
AMENDING SECTION 1, CHAPTER 383, LAWS OF 2007;"

Following: "PROVIDING"

Insert: "AN IMMEDIATE"

Strike: "DATES"

Insert: "DATE"

2. Page 1, line 21.

Following: "account"

Insert: "and any funds appropriated to the department in [section
7] remaining after all obligations to fund eligible projects
identified in [section 1(3)] have been fully met, to be
used"

3. Page 3, line 8.

Following: line 7

Insert: "37. Granite County (solid waste) 197,000

38. Missoula County for Seeley Lake (wastewater) 750,000

39. Seeley Lake Sewer District (wastewater) 750,000

40. Dutton, Town of (wastewater) 500,000

41. Blaine County (bridge) 384,160

42. Loma County Water and Sewer District (water) 750,000

43. Harlowton, Town of (water) 500,000

44. Kevin, Town of (water) 500,000

45. Flathead County (for Bigfork) (stormwater) 625,000

46. Woods Bay Homesites Water and Sewer District (wastewater)
730,000

47. Shelby, City of (wastewater) 625,000

48. Whitefish, City of (wastewater) 500,000

49. Eureka, Town of (water) 625,000

50. Troy, City of (water) 715,000

51. Fallon County North Baker Water and Sewer District
(wastewater) 120,000

52. Sheaver's Creek Water and Sewer District (wastewater) 600,000

53. Yellowstone County (bridge) 228,753

54. Gore Hill County Water District (water) 250,300

55. South Chester County Water District (water) 131,000

56. Livingston, City of (wastewater/solid waste) 500,000
57. Flathead County Water and Sewer District (Happy Valley)
(water) 500,000
58. Bynum Teton County Water and Sewer District (water) 567,000
59. Bozeman, City of (wastewater) 500,000
60. Fort Smith Water and Sewer District (water) 500,000
61. Jette Meadows Water and Sewer District (water) 750,000
62. Greater Woods Bay Sewer District (wastewater) 488,000
63. Em-Kayan Village Water and Sewer District (water) 290,619
64. Stevensville, Town of (water) 500,000
65. Bridger Pines County Water and Sewer District (wastewater)
400,000"

4. Page 3, line 16 and 17.

Following: "funds" on line 16

Strike: remainder of line 16 through "during" on line 17

Insert: "appropriated in subsection (1) for"

5. Page 3, line 18.

Following: the first "projects"

Insert: "numbered 1 through 33 in subsection (3) "

6. Page 3, line 20.

Strike: "36"

Insert: "65"

7. Page 3, lines 21 through 26.

Following: "only" on line 21

Strike: remainder of line 21 through line 26 in their entirety

Insert: "so long as there are sufficient funds from the amount
appropriated in subsection (1). Once all funds appropriated
in subsection (1) are totally committed to projects numbered
34 through 65 in subsection (3) that have satisfied the
conditions described in [section 3(1)], the obligation to
remaining projects will cease."

8. Page 6, line 5.

Strike: "\$8"

Insert: "\$16"

9. Page 6, line 7.

Following: "account"

Insert: "and other funds"

10. Page 7, line 4.

Insert: "Section 10. Section 1, Chapter 383, Laws of 2007, is
amended to read:

"Section 1. Appropriation from treasure state endowment
state special revenue account. (1) There is appropriated to the
department of commerce ~~\$17,333,653~~ up to \$37,673,080 of the

interest earnings from the treasure state endowment state special revenue account and from other funds, to finance grants authorized by this section.

(2) The funds appropriated in this section must be used by the department to make grants to the governmental entities listed in subsection (3) for the described purposes and in amounts not to exceed the amounts set out in subsection (3). The appropriations are subject to the conditions set forth in [sections 2 and 3] and described in the treasure state endowment program 2009 biennium report to the 60th legislature. The legislature, pursuant to 90-6-710, authorizes the grants for the projects listed in subsection (3). The department shall commit funds to projects listed in subsection (3), up to the amounts authorized, based on the manner of disbursement set forth in [section 3] until interest earnings and other funds deposited into the treasure state endowment state special revenue account during the 2009 biennium are expended.

(3) The following applicants and projects are authorized for grants:

Applicant/Project	Grant Amount
1. Lewis and Clark County for the Woodlawn Addition (water)	\$596,420
2. Bainville, Town of (wastewater)	715,000
3. Madison County (bridge)	370,100
4. Sweet Grass County (bridge)	151,493
5. Powell County (bridge)	263,074
6. Circle, Town of (wastewater)	750,000
7. Harlem, City of (water)	750,000
8. Jordan, Town of (wastewater)	700,000
9. Thompson Falls, City of (water)	363,000
10. Twin Bridges, Town of (wastewater)	750,000
11. Seeley Lake-Missoula County Water District (water)	750,000
12. Fergus County (bridge)	238,362
13. Sunny Meadows-Missoula County Water and Sewer District (water)	325,000
14. Tri-County Water District (water)	313,500
15. Blaine County (bridge)	617,017
16. Loma County Water and Sewer District (water)	750,000
17. Ekalaka, Town of (water and wastewater)	706,369
18. Stillwater County (bridge)	407,500
19. Sheridan, Town of (wastewater)	750,000
20. Carter-Chouteau County Water and Sewer District (water)	750,000
21. Bigfork County Water and Sewer District (wastewater)	750,000
22. Dayton-Lake County Water and Sewer District (wastewater)	750,000
23. Judith Basin County (bridge)	192,215
24. Pinesdale, Town of (water)	750,000
25. Power-Teton County Water and Sewer District (water)	

604,286

26. Superior, Town of (water) 600,000
27. RAE Subdivision County Water and Sewer District No. 313 (water) 750,000
28. Jefferson County (bridge) 295,800
29. Fort Benton, City of (stormwater) 750,000
30. Laurel, City of (wastewater) 750,000
31. Yellowstone County (bridge) 97,079
32. Neihart, Town of (water) 223,000
33. Three Forks, City of (wastewater) 750,000
34. Manhattan, Town of (water) 600,000
35. Cut Bank, City of (water) 550,000
36. Whitehall, Town of (wastewater) 750,000
37. Crow Tribe (wastewater) 750,000
38. Big Sandy, Town of (wastewater) 750,000
39. Fairfield, Town of (wastewater) 750,000
40. Hamilton, City of (wastewater) 750,000
41. Gallatin County/Hebgen Lake Estates (wastewater) 750,000
42. Shelby, City of (water) 750,000
43. Whitefish, City of (wastewater) 750,000
44. Panoramic Mountain River Heights (water) 191,500
45. Custer County (bridge) 63,750
46. Brady, Town of (wastewater) 750,000
47. Elk Meadows (water) 410,000
48. Polson, City of (water) 750,000
49. Darby, Town of (water) 750,000
50. Goodan-Keil (water) 532,250
51. Butte-Silver Bow (water) 750,000
52. Columbia Falls, City of (wastewater) 750,000
53. North Valley County (water) 750,000
54. Saltese, Town of (wastewater) 390,000
55. Red Lodge, City of (water) 750,000
56. Black Eagle, Town of (water) 365,000

(4) This section constitutes a valid obligation of funds to the grant recipients listed in subsection (3) for purposes of encumbering the treasure state endowment state special revenue account funds and other funds during the 2009 biennium pursuant to 17-7-302. However, a grant recipient's entitlement to receive funds is dependent on the grant recipient's compliance with the conditions described in [section 3(1)] and on the availability of funds.

(5) Funding for projects numbered 1 through 56 in subsection (3) ~~and for the department of natural resources and conservation project in subsection (6)~~ will be provided from interest earnings and other funds deposited into the treasure state endowment special revenue account during the biennium ending June 30, 2009, for the projects that have satisfied the conditions described in [section 3(1)] prior to June 30, 2009. Funding for the projects listed in subsection (3) will be made available in the order that the grant recipients satisfy the

~~conditions described in [section 3(1)]. If funds appropriated in subsection (1) are insufficient to fund any of the projects that have satisfied the conditions described in [section 3(1)] prior to June 30, 2009, the treasure state endowment program must fund the projects by borrowing money from the board of investments pursuant to 90-6-701(1)(b) for those projects that have satisfied the conditions described in [section 3(1)] by June 30, 2009. There is appropriated to the department of commerce up to \$17,563,890 for funds borrowed from the board of investments.~~

~~(6) Up to \$2,200,000 is granted to the department of natural resources and conservation in fiscal year 2009, which must be used to fund local government renewable resource projects. The grant may only be awarded for the amount of anticipated shortfall in funding all of the renewable resource program grants authorized in [section 1(3) of House Bill No. 6]. Any unexpended funds remaining from this grant on July 1, 2009, will be remitted to the department of commerce, treasure state endowment program, to be used for repayment of loans."~~

Renumber: subsequent sections

11. Page 7, lines 9 through 11.

Strike: section 11 in its entirety

Insert: "NEW SECTION. Section 12. {standard} Effective date. [This act] is effective on passage and approval."

- END -

ORDER 5
 DATE 3/13/09
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Treasure State Endowment Program
Grant Funding with Changes from HB 645

Rank Order	Applicant	HB 11 Recommended	Notes
1	Philipsburg, Town of	750,000	
2	Ravalli County	137,193	
3	Sweet Grass County	93,360	
4	Meistone, Town of	625,000	
5	Fergus County	167,200	
6	Rudyard County W&S District	319,000	
7	Cascade, Town of	625,000	
8	Powell County	304,248	
9	Wolf Creek Co. W&S District	750,000	
10	Judith Gap, Town of	750,000	
11	Gardiner Park Co. W&S District	358,000	
12	Winifred, Town of	500,000	
13	Beaverhead County	290,668	
14	Sweet Grass Community Co. W&S District	625,000	
15	Nashua, Town of	421,300	
16	Laurel, City of	625,000	
17	Homestead Acres W&S District	573,325	
18	Crow Tribe	750,000	
19	Carbon County	492,915	
20	Lewis and Clark County	456,628	
21	Madison County	413,203	
22	Cut Bank, City of	500,000	
23	Broadview, Town of	500,000	
24	St. Ignatius, Town of	253,000	
25	Jefferson County	160,690	
26	Stillwater County	292,979	
27	Wibaux, Town of	500,000	
28	Bigfork Co. W&S District	750,000	
29	Choteau, City of	500,000	
30	Valier, Town of	625,000	
31	Carter Choteau Co. W&S District	750,000	
32	Hardin, City of	500,000	
33	Upper & Lower River Rd W&S District	500,000	Original Funding Line
34	Gildford Co. W&S District	538,000	Projects below the line are first come first serve as start-up conditions are met
35	Big Sandy, Town of	500,000	
36	Ronan, City of	750,000	
37	Granite County	197,000	
38	Missoula County (for Seeley Lake)	750,000	
39	Seeley Lake Sewer District	750,000	
40	Dutton, Town of	500,000	
41	Blaine County	384,160	
42	Loma County W&S District	750,000	
43	Harlowton, Town of	500,000	Funding Line with HB 645
44	Kevin, Town of	500,000	
45	Flathead County for Bigfork	625,000	
46	Woods Bay Homesites W&S District	730,000	***Potential Funding Line with Appropriation Change
47	Shelby, City of	625,000	Total HB 11 Appropriation = \$17,800,000
48	Whitefish, City of	500,000	
49	Eureka, Town of	625,000	
50	Troy, City of	715,000	
51	Fallon Co. North Baker W&S District	120,000	
52	Sheaver's Creek W&S District	600,000	
53	Yellowstone County	228,753	
54	Gore Hill Co. Water District	250,300	
55	South Chester County Water District	131,000	
56	Livingston, City of	500,000	
57	Flathead Co. Water District #8 (Happy Valley)	500,000	
58	Bynum/Teton Co. W&S District	567,000	
59	Bozeman, City of	500,000	
60	Fort Smith W&S District	500,000	
61	Jette Meadows W&S District	750,000	
62	Greater Woods Bay Sewer District	488,000	
63	Em-Kayan Co. W&S District	290,619	
64	Stevensville, Town of	500,000	
65	Bridger Pines Co. W&S District	400,000	
Total TSEP Grants Recommended		\$32,123,541	